

# Exhibit V

CAPTAIN NICHOLAS J. LEWIS  
MATTER OF COEYMAN'S MARINE TOWING, LLC

August 13, 2025

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1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF VIRGINIA  
3 Norfolk Division  
4 In Admiralty

5 CIVIL ACTION NO: 2:24-cv-00490

6 In the Matter of COEYMAN'S MARINE  
7 TOWING, LLC D/B/A CARVER MARINE  
8 TOWING as Owner and Operator of M/T  
9 Mackenzie Rose, (IMO No. 8968765) her cargo,  
10 engines, boilers, tackle, equipment, apparel, and  
appurtenances, etc., in rem, petitioning for  
Exoneration from or Limitation of Liability in  
allision with Norfolk and Portsmouth Belt Line  
Railroad Company Main Line Railroad Bridge  
occurring June 15, 2024 in and about the  
Elizabeth River, Virginia.

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12 DEPOSITION OF  
13 CAPTAIN NICHOLAS J. LEWIS

14 Taken on Behalf of the Claimant

15 DATE TAKEN: August 13, 2025  
16 TIME: 12:00 p.m. - 5:15 p.m.  
17 PLACE: 6767 N. Wickham Road  
Melbourne, Florida

18 Examination of the witness taken before:

19 Yvette S. Harrison, RPR, FPR,  
Court Reporter  
20 and Notary Public, State of Florida at Large.  
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1 A. No.

2 Q. Are you saying Nick Laraway should have been on  
3 the tug at the time of the incident --

4 A. No.

5 Q. -- the president of the company?

6 A. No. I would have thought he might know more  
7 than what he knew in the deposition about what was going  
8 on especially --

9 Q. Did your lawyer tell you that?

10 A. Especially after someone hit the bridge.

11 Q. Did your lawyer tell you that?

12 MR. JETT: Objection.

13 A. Tell me what?

14 MR. JETT: Don't answer that.

15 BY MR. RODGERS:

16 Q. That he doesn't know anything?

17 A. It's my opinion from watching him.

18 Q. Okay. Him not knowing anything in your opinion  
19 did that have anything to do with -- strike that.

20 Explain what you mean by managerial failings  
21 specifically, give me specifics because it's your report.

22 A. Okay. Carver knew there was a problem on the  
23 tug with the automatic pilot. They had two incidents in  
24 May, prior to that in April, March and April there were  
25 two repairs done to the new autopilot that went on the

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1 vessel in November '23. In May they had two more  
2 incidents. This is June. They made no distinction, no  
3 specification to the company to do anything different  
4 about the autopilot. In my opinion they should have been  
5 given an order not to be on autopilot on that vessel  
6 going in a narrow channel.

7 Q. Okay. But you agree in your section four that  
8 in fact it wasn't the autopilot that failed, it was James  
9 Morrissey that failed; correct?

10 A. But still the autopilot should never have been  
11 on in my opinion.

12 Q. You agree that it was not the autopilot it was  
13 James Morrissey --

14 MR. JETT: Objection.

15 BY MR. RODGERS:

16 Q. -- that caused the incident; correct?

17 MR. JETT: Objection.

18 A. No, I can't answer that. James Morrissey was  
19 on autopilot. Okay. So the autopilot took him in a  
20 location where he shouldn't have been. When he tried to  
21 switch over, he didn't switch over correctly. Then he  
22 finally did switch over. Okay, fine, you switch over  
23 now. How do you still hit the bridge when the opening is  
24 45 degrees to your right?